

ORDINANCE NO. 2008-17-153

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO ELECTIONS, CALLING THE 2008 GENERAL ELECTION FOR THE MAYOR'S SEAT AND CITY COUNCIL SEATS 1, 3, 5 AND SEAT 6; SCHEDULING THE DAY, PLACE AND TIME OF THE ELECTION; PROVIDING FOR RUNOFF ELECTION IF NECESSARY; PROVIDING FOR QUALIFICATION OF CANDIDATES; PROVIDING FOR CLOSE OF ELECTION BOOKS; APPROVING THE OFFICIAL BALLOT FORM; PROVIDING FOR NOTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5, Article V, of the City Of Miami Gardens' Charter provides that a general election shall be held in each even-numbered year, on the day of the first state primary election, or if none is held in any such year, on the first Tuesday, following the second Monday in September, and

WHEREAS, Section 8.5(5), Article VIII, of the City of Miami Gardens' Charter provides for the transition and the initial election of the City Council, and

WHEREAS, a State-wide Election will take place on August 26, 2008, and

WHEREAS, Section 2.5 (C)(2) provides for the filling of a vacancy, which occurred upon the resignation of Oscar Braynon II, effective March 4, 2008,

WHEREAS, that vacancy was filled by a nomination of the Mayor made within 30 calendar days following the occurrence, and

WHEREAS, the Charter provides that the nominee shall fill the vacancy until the next regularly scheduled Miami-Dade County-wide election at which time an election shall be held to fill the vacancy for the balance of the term, and

WHEREAS, A County-wide Election will take place on August 26, 2008, and

WHEREAS, state law requires election books to close thirty (30) days prior to the election which is July 28, 2008,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ELECTION: The 2008 General Election for the City of Miami Gardens will be held on Tuesday, August 26, 2008. On that date, a mayor will be elected to serve a four (4) year term; one council member representing residential area seats 1, and one council member representing residential area seat 3, will be elected to serve four (4) year terms; a council member representing at-large seat 5, will be elected to serve a four (4) year term; and a council member representing at-large Seat 6, will be elected to serve a two (2) year unexpired term.

SECTION 3. RUNOFF ELECTION. The 2008 Runoff Election, if necessary for the City of Miami Gardens will be held on Tuesday, November 4, 2008

SECTION 4. QUALIFYING: The qualifying period for the election shall open Monday, June 2, 2008, at 9:00 a.m., and close precisely at 4:00 p.m., on Monday, June 9, 2008. Candidates shall qualify at the Office of the City Clerk, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200, City of Miami Gardens, Florida 33169

SECTION 5. POLLING PLACES: Voting shall be conducted at locations listed on Exhibit "A". All polls shall open precisely at 7:00 a.m., and close precisely at 7:00 p.m.

SECTION 6. OFFICIAL BALLOT: The official ballot for the 2008 Election is in substantial form as the Ballot annexed to this ordinance as Exhibit "B".

SECTION 7. VOTER REGISTRATION: The election books shall close Monday, July 28, 2008.

SECTION 8. NOTIFICATION: The City Clerk shall publish notice of such general election once a week for four consecutive weeks next preceding the general election in a newspaper of general circulation in Miami Gardens. The notice shall contain the date, time, and place of the general election and identify the Council Seats to be voted for.


SECTION 8. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 10. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 28<sup>th</sup> DAY OF MARCH, 2008

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 9<sup>th</sup> DAY OF APRIL, 2008

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
\_\_\_\_\_  
RONETTA TAYLOR, CMC, CITY CLERK

Reviewed by SONJA K. DICKENS, ESQ.  
City Attorney

SPONSORED BY: Ronetta Taylor, CMC, City Clerk

MOVED BY: **Councilman Gilbert**

SECONDED BY: **Councilman Bratton**

**VOTE: 7-0**

Mayor Shirley Gibson	<u>x</u> (Yes)	___ (No)
Vice Mayor Barbara Watson	<u>x</u> (Yes)	___ (No)
Councilman Melvin L. Bratton	<u>x</u> (Yes)	___ (No)
Councilman Aaron Campbell Jr.	<u>x</u> (Yes)	___ (No)
Councilwoman Sharon Pritchett	<u>x</u> (Yes)	___ (No)
Councilman Oliver G. Gilbert III	<u>x</u> (Yes)	___ (No)
Councilman André Williams	<u>x</u> (Yes)	___ (No)

## EXHIBIT "A"

### LIST OF POLLING PLACES FOR MIAMI GARDENS

<i>PCT.</i>	<i>LOCATION</i>	<i>ADDRESS</i>
202	LANDMARK CAMPUS	20000 NW 47 AVE
203	NORTH COUNTY ELEMENTARY SCHOOL	3250 NW 207 ST
204	ANTIOCH MISSIONARY BAPTIST CHURCH	3330 NW 213 TR
205	ROBERT RENICK EDUCATIONAL CENTER	2201 NW 207 ST
206	NORLAND UNITED METHODIST CHURCH	885 NW 195 ST
211	HIBISCUS ELEMENTARY SCHOOL	18701 NW 1 AVE
213	NORTH DADE COMMUNITY CHURCH	700 NW 175 ST
214	EPISCOPAL CHURCH OF THE HOLY FAMILY	18501 NW 7 AVE
215	SIERRA NORWOOD CALVARY BAPT CHURCH	19101 NW 5 AVE
216	GRACE UNITED COMMUNITY CHURCH	901 NW 183 ST
217	EL PALACIO HOTEL	16805 NW 12 AVE
218	NORTH DADE MIDDLE SCHOOL	1840 NW 157 ST
219	BUNCHE PARK ELEMENTARY SCHOOL	16001 BUNCHE PK SCH DR
220	NEW WAY FELLOWSHIP BAPTIST CHURCH	16800 NW 22 AVE
221	PARKVIEW ELEMENTARY SCHOOL	17631 NW 20 AVE
222	MIAMI GARDENS CHURCH OF CHRIST	2255 NW 183 ST
223	COSMOPOLITAN BAPTIST CHURCH	3003 NW 207 ST
224	MIAMI CAROL CITY SR HIGH SCHOOL	3422 NW 187 ST
225	MYRTLE GROVE PRESBYTERIAN CHURCH	2961 NW 175 ST
226	GOLDEN GLADES ELEMENTARY SCHOOL	16520 NW 28 AVE
227	MYRTLE GROVE PRESBYTERIAN CHURCH	2961 NW 175 ST
228	CAROL CITY MIDDLE SCHOOL	3737 NW 188 ST
229	ST TIMOTHY LUTHERAN CHURCH	4400 NW 183 ST
233	FLORIDA MEMORIAL UNIVERSITY	15800 NW 42 AVE
234	MT ZION AME CHURCH	15250 NW 22 AVE
256	ROBERT SHARPE TOWERS #1	103 NW 202 TR
267	UNIVERSAL TRUTH CENTER	21310 NW 37 AVE
269	MT ZION AME CHURCH	15250 NW 22 AVE
270	MIAMI-DADE FIRE STATION #11	18705 NW 27 AVE
273	LANDMARK CAMPUS	20000 NW 47 AVE
274	CAROL CITY ELEMENTARY SCHOOL	4375 NW 173 DR

*LIST OF POLLING PLACES FOR MIAMI GARDENS*

<i>PCT.</i>	<i>LOCATION</i>	<i>ADDRESS</i>
276	FLORIDA MEMORIAL UNIVERSITY	15800 NW 42 AVE
283	LAKE STEVENS MIDDLE SCHOOL	18484 NW 48 PL
290	LANDMARK CAMPUS	20000 NW 47 AVE
291	MIAMI GARDENS ELEMENTARY SCHOOL	4444 NW 195 ST
292	FREEWILL CHRISTIAN CENTER	3405 NW 189 ST
294	NORTH DADE COMMUNITY CHURCH	700 NW 175 ST

**Exhibit "B"**

**ELECTION BALLOT  
CITY OF MIAMI GARDENS GENERAL ELECTION  
August 26, 2008**

Electors shall cast one vote for each available seat, with a maximum of one vote per candidate.

**MAYOR, RESIDENTIAL AREA SEAT ONE (1) RESIDENTIAL AREA SEAT (3) AND  
AT-LARGE SEAT FIVE (5)**

(Vote for one candidate in each category)

**Mayor:**

(Candidate Names)

**Council member Residential Area Seat one (1) :**

(Candidate Names)

**Councilmember Residential Areas Seat three (3):**

(Candidates Names)

**At-large Seat five (5):**

(Candidate Names)

**AT-LARGE SEAT SIX (6) (Remainder Term ending November 2010)**

**At-large Seat six (6):**

(Candidate Names)